



Georgia

HOUSE OF REPRESENTATIVES

Thursday
February 24,
2022

DAILY REPORT

20th
Legislative
Day

House Budget & Research Office
(404) 656-5050

- The House will reconvene for its 21st Legislative Day on Monday, February 28 at 10:00 a.m.
- 12 bills are expected to be debated on the floor.

Today on the Floor

Motions to Insist

HB 334 Superior courts; clerks; notaries public; provisions

Bill Summary: House Bill 334 provides for the creation and allowance of remote online notaries public and remote online notarizations (RON). Electronic seals and digital signatures must be used when performing any electronic in-person notarization or RON. The bill establishes the process to become, and the performance requirements of, a remote online notary public. The maintenance and retention requirements of RON related documentation and digital recordings are provided. The Georgia Superior Courts Clerk's Cooperative Authority shall have the authority to adopt standards for RON.

Notary publics located in the state of Georgia may perform an electronic in-person notarization for an individual in the notary's physical presence. Remote online public notaries physically located in Georgia may perform RON for individuals located within the United States and internationally if certain requirements are met. Notarial acts required for wills, codicils, or testamentary trusts may not be performed by or through RON.

The bill establishes fees that may be charged by a remote online notary public. Upon the termination of a remote online notary public's commission, such notary public must disable certain technologies related to the performance of their duties. Electronic journals, which keep a record of notarial acts, must be created and maintained by remote online notaries public and such journals must be retained for 10 years after the date of the last notarial act. Audiovisual recordings notarial acts must be submitted to secure repositories and maintained for a minimum of 10 years.

The 'Fair Businesses Practice Act' is amended to specifically include that presenting a residential real document for recording, that the presenter knew was created through actions constituting the unauthorized practice of law, is an unfair or deceptive practice.

Clerks of the superior court are specifically relieved of any further duty to examine the circumstances of the witnessing of any instrument submitted to them if the apparent signatures of both witness and any required seals are present. Witnessing requirements for real estate documents are further specified.

Authored By: Rep. Joseph Gullett (19th)

Rule Applied: Modified-Structured

Motions to Insist: (A motion to insist sends the bill back to the Senate for consideration.)

Rules Calendar

HB 896 Revenue and taxation; update population bracket and census date for a certain property tax exemption for certain leased property

Bill Summary: House Bill 896 amends O.C.G.A. 48-5-40, relating to property tax exemptions, by updating a homestead exemption for counties having populations between 23,500 and 23,675 on the 2010 Census with counties having populations between 25,400 and 25,500 on the 2020 Census.

Authored By: Rep. Clint Crowe (110th)
House Ways & Means
Committee:
Floor Vote: Yeas: 157 Nays: 0

Rule Applied: Structured
Committee 02-17-2022 Do Pass
Action:
Amendments:

HB 1008 Georgia Achieving A Better Life Experience; governance of program by board of directors of Georgia Higher Education Savings Plan; provide

Bill Summary: House Bill 1008 amends the Code relating to the Georgia Higher Education Savings Plan board of directors by removing the governor as chairperson and adding the following: commissioner of behavioral health and developmental disabilities; commissioner of community health; the state treasurer; an additional director appointed by the governor; and at least one person with a disability, a family member with a disability, or a person who is a disability advocate. The chairperson is elected by the board from its membership, and the vice chairperson is the state treasurer.

HB 1008 amends the Code relating to the Georgia Achieving a Better Life Experience (ABLE) program by transferring the governing authority of the program and associated trust fund from the Georgia ABLE Program Corporation, which is dissolved by the bill, to the board of directors of the Georgia Higher Education Savings Plan. The bill removes the board of directors' authority to require and collect fees to cover administrative costs as well as to impose withdrawal penalties.

Authored By: Rep. Lee Hawkins (27th)
House Budget and Fiscal Affairs Oversight
Committee:
Floor Vote: Yeas: 159 Nays: 0

Rule Applied: Modified-Structured
Committee 02-09-2022 Do Pass by Committee
Action: Substitute
Amendments:

HB 1059 Insurance; unfair trade practices and unlawful inducements; provide for exclusions

Bill Summary: House Bill 1059 provides exclusions to unfair trade practices and unlawful inducements by allowing insurance companies to provide loss-mitigation safety products to consumers.

Authored By: Rep. Matthew Gambill (15th)
House Insurance
Committee:
Floor Vote: Yeas: 157 Nays: 0

Rule Applied: Modified-Structured
Committee 02-16-2022 Do Pass
Action:
Amendments:

HB 1088 Property; nonjudicial foreclosure of time-share estates; authorize

Bill Summary: House Bill 1088 authorizes non-judicial foreclosures of time-share estates by an owners' association. The notice of sale shall be in writing sent by registered/certified mail or overnight delivery no later than 30 days prior to the date of the proposed sale, or alternatively by advertising in a local newspaper.

Authored By: Rep. Stan Gunter (8th)
House Judiciary
Committee:
Floor Vote: Yeas: 141 Nays: 18

Rule Applied: Modified-Structured
Committee 02-15-2022 Do Pass by Committee
Action: Substitute
Amendments:

HB 1186 Speech-language pathologists and audiologists; revise licensing provisions

Bill Summary: House Bill 1186 expands the eligibility for persons who can have a non-diagnostic electro-physiologic screening done by a non-licensed audiologist from age three and under to birth through 22 years of age.

Authored By: Rep. Penny Houston (170th)
House Health & Human Services
Committee:
Floor Vote: Yeas: 156 Nays: 0

Rule Applied: Modified-Structured
Committee 02-15-2022 Do Pass by Committee
Action: Substitute
Amendments:

HB 1215 Education; provision that reduced the amount of certain funding to state charter schools that offer virtual instruction; remove

Bill Summary: House Bill 1215 revises O.C.G.A. 20-2-2066 to allow students to withdraw from a local school in the school system in which a student resides and enroll in a charter school with available classroom space without penalty. Each local board of education will adopt a universal, streamlined transfer process. The bill includes a definition of "charter school," which clarifies that it operates under a charter school governing board, has a code assigned by the Department of Education, and is the subject of a report card prepared and distributed by the Office of Student Achievement. HB 1215 addresses funding of local charter schools by noting the calculation of allocation of local revenue is adjusted at least semi-annually based on collected local revenues.

Authored By: Rep. Brad Thomas (21st)
House Education
Committee:
Floor Vote: Yeas: 113 Nays: 45

Rule Applied: Modified-Structured
Committee 02-16-2022 Do Pass by Committee
Action: Substitute
Amendments:

HB 1217 Student Technology Protection Act; enact

Bill Summary: House Bill 1217, the 'Student Technology Protection Act,' amends the 'Quality Basic Education Act' by revising O.C.G.A. 20-2-324 to provide that schools promote the safe and appropriate use of technology. By October 1, 2022, each local board of education and charter school governing body will adopt an acceptable-use policy with the purposes of preventing and prohibiting any computer or network from accessing obscene materials. Each system shall take necessary steps to implement and enforce the acceptable-use policy. If the State Board of Education finds that a school does not follow their acceptable-use policy, the board can withhold a portion of the state funding allotment for that school.

Authored By: Rep. Chris Erwin (28th)
House Education
Committee:
Floor Vote: Yeas: 131 Nays: 26

Rule Applied: Modified-Structured
Committee 02-16-2022 Do Pass by Committee
Action: Substitute
Amendments:

HB 1233 Natural Resources, Department of; earliest effective date for certain rules and regulations; delay

Bill Summary: House Bill 1233 revises the effective date to January 1, 2022, for rules and regulations promulgated by the Board of Natural Resources.

HB 1233 consolidates the following species of bass under the species name of genus micropterus (black bass): smallmouth bass; shoal bass; suwannee bass; spotted bass or Kentucky bass; and redeye bass or coosa bass.

The bill limits the capacity of a shotgun used for hunting migratory game birds to not more than three shells total. The plug utilized shall be a single piece and incapable of being removed through the loading end of the magazine. The bill replaces ducks, geese, or swans with the umbrella term of "migratory game birds."

Authored By: Rep. Trey Rhodes (120th)
House Game, Fish, & Parks
Committee:
Floor Vote: Yeas: 155 Nays: 4

Rule Applied: Modified-Structured
Committee 02-10-2022 Do Pass by Committee
Action: Substitute
Amendments:

HB 1276 Community Health, Department of; statistical reports data relating to state health plans be posted on department website; require

Bill Summary: House Bill 1276 requires the Department of Community Health to post on its website statistical reports with data relating to administered state health plans. Reports must include the number and type of enrolled providers; primary care providers per 1,000 people; hospital utilization and costs; membership and beneficiary enrollment data; prescription drug spending data; financial results by aid category; and long-term care data. Updates on the reports will be posted at least biannually.

Authored By: Rep. Lee Hawkins (27th)
House Health & Human Services
Committee:
Floor Vote: Yeas: 151 Nays: 1

Rule Applied: Modified-Structured
Committee 02-15-2022 Do Pass
Action:
Amendments:

HB 1307 Georgia Utility Facility Protection Act; revise

Bill Summary: House Bill 1307 requires an excavator to make an emergency 911 call to alert emergency services if they strike or damage a utility facility that carries gas or a hazardous liquid.

Authored By: Rep. Penny Houston (170th)
House Energy, Utilities &
Committee: Telecommunications
Floor Vote: Yeas: 159 Nays: 3

Rule Applied: Modified-Structured
Committee 02-16-2022 Do Pass
Action:
Amendments:

HB 1320 Revenue and taxation; Internal Revenue Code and Internal Revenue Code of 1986; define terms and incorporate certain provisions of federal law into Georgia law

Bill Summary: House Bill 1320 amends 48-1-2 of the Code, relating to income tax definitions, by providing an update to the definition of "Internal Revenue Code" to include the provisions of the 'Infrastructure Investment and Jobs Act' signed by the president on November 15, 2021. The provisions include changes to which bonds qualify as tax-exempt bond financing, an extension of interest-rate smoothing for defined benefit plans, and expanding non-taxable contributions to capital to include contributions to the capital of the utility by a government entity providing for the protection, preservation, or enhancement of drinking water or sewage disposal services.

Authored By: Rep. David Knight (130th)
House Ways & Means
Committee:
Floor Vote: Yeas: 157 Nays: 0

Rule Applied: Structured
Committee 02-17-2022 Do Pass
Action:
Amendments:

HB 1321 Commerce; litigation bar on governmental entities regarding certain statewide opioid litigation; provide

Bill Summary: House Bill 1321 concerns statewide opioid settlements and the state accessing the full amount of any settlement. It provides that entry into a statewide opioid settlement agreement bars past, present or future claims on behalf of any governmental entity seeking to recover against an entity released under the relevant settlement agreement. The bar does not apply to bellwether claims of any entity, provided the claim is not brought in or selected by the court in relationship to the National Prescription Opiate Litigation, Case No.: MDL 2804 as a bellwether claim.

Authored By: Rep. James Burchett (176th)
House Judiciary
Committee:
Floor Vote: Yeas: Nays:
Floor Action: Recommit to Committee

Rule Applied: Modified-Structured
Committee 02-15-2022 Do Pass by Committee
Action: Substitute
Amendments:

Postponed Until Next Legislative Day

HB 389 Employment security; change definition of employment to include services performed by an individual for wages

Bill Summary: House Bill 389 codifies existing case law to determine whether work classifies a person as an employee or an independent contractor. Further, the bill provides for an enforcement mechanism, which adds a civil penalty paid to the Department of Labor when an employer misclassifies its employees. Fines for companies with less than 100 employees are capped at \$2,500 for each misclassified employee, while fines for companies with 100 or more employees are capped at \$7,500 for each misclassified employee.

The bill states that employment does not include services performed by or facilitated through a network company, so long as the network company has a written contract with the individual that expressly states that the network company shall not unilaterally prescribe specific dates, times, or a minimum number of hours that an individual is required to be logged onto the network company's application. To apply, the contract must not be terminated by the network company if a person does not: accept a specific delivery or transportation request; restrict an individual from performing transportation or delivery services through other network companies; and contractually restrict an individual from working in any other lawful occupation or business. The bill defines "ride share network service" and "network company."

Authored By: Rep. Todd Jones (25th)

Rule Applied: Modified-Structured

HB 961 Torts; authorize apportionment of damages in single-defendant lawsuits; provide for evidence of fault of nonparties

Bill Summary: House Bill 961 amends Code Section 51-12-33 to authorize apportionment of damages in single-defendant lawsuits rather than solely in multi-defendant lawsuits. In lawsuits against one or more defendants, following a reduction of damages attributed to the plaintiff's percentage of fault, the damages shall be apportioned to the liable person or persons according to each person's percentage of fault.

Authored By: Rep. Chuck Efstration (104th)

Rule Applied: Structured

Local Calendar

HB 1374 City of Bloomington Community Improvement Districts Act; create

Bill Summary: House Bill 1374 provides for the creation of one or more community improvement districts in the city of Bloomington.

Authored By: Rep. Ron Stephens (164th)
House Committee: Intragovernmental Coordination - Local
Floor Vote: Yeas: 100 Nays: 62

Rule Applied:
Committee Action: 02-23-2022 Do Pass
Amendments:

HB 1397 Liberty County; Board of Education; change description of districts

Bill Summary: House Bill 1397 changes the description of the Liberty County Board of Education's districts.

Authored By: Rep. Al Williams (168th)
House Committee: Intragovernmental Coordination - Local
Floor Vote: Yeas: 100 Nays: 62

Rule Applied:
Committee Action: 02-23-2022 Do Pass
Amendments:

SB 454 Board of Public Education for Bibb County; description of the education districts; change

Bill Summary: Senate Bill 454 changes the description of the Bibb County Board of Education's districts.

Authored By: Sen. John Kennedy (18th)
House Intragovernmental Coordination -
Committee: Local
Floor Vote: Yeas: 100 Nays: 62

Rule Applied:
Committee 02-23-2022 Do Pass
Action:
Amendments:

SB 482 Paulding County Board of Education; districts for election of members; revise

Bill Summary: Senate Bill 482 revises the districts for the election of members of the Paulding County Board of Education.

Authored By: Sen. Jason Anavitarte (31st)
House Intragovernmental Coordination -
Committee: Local
Floor Vote: Yeas: 100 Nays: 62

Rule Applied:
Committee 02-23-2022 Do Pass
Action:
Amendments:

SB 503 City of Macon, the City of Payne City, and Bibb County; new commissioner districts; provide

Bill Summary: Senate Bill 503 provides for new Macon-Bibb County Commission districts.

Authored By: Sen. John Kennedy (18th)
House Intragovernmental Coordination -
Committee: Local
Floor Vote: Yeas: 100 Nays: 62

Rule Applied:
Committee 02-23-2022 Do Pass
Action:
Amendments:

Next on the Floor from the Committee on Rules

The Committee on Rules has fixed the calendar for the 21st Legislative Day, Monday, February 28, and bills may be called at the pleasure of the Speaker.

HB 1056 Georgia Firefighters' Pension Fund; authority to make alternative investments; repeal certain restrictions

Bill Summary: House Bill 1056 allows the Georgia Firefighters' Pension Fund to invest up to 15 percent of the fund's total assets in alternative investments. The fund's current limit on alternative investments is 10 percent. This bill is certified by the Georgia Department of Audits and Accounts as a non-fiscal retirement bill.

Authored By: Rep. Dewayne Hill (3rd)
House Retirement
Committee:

Rule Applied: Modified-Structured
Committee 02-08-2022 Do Pass
Action:

HB 1064 Income tax; certain retirement income for military service; provide exemption

Bill Summary: House Bill 1064 amends O.C.G.A. 48-7-27, relating to the computation of taxable net income, by adding an income tax exemption of up to \$17,500 of military retirement income for individuals less than 62 years of age and an additional exemption of \$17,500 for individuals less than 62 years of age who have at least \$17,500 of earned income.

Authored By: Rep. Jesse Petrea (166th)
House Ways & Means
Committee:

Rule Applied: Structured
Committee 02-17-2022 Do Pass
Action:

HB 1182 Local government; disposition of property acquired for lake projects do not apply if any portion of such lake was constructed; provide provisions

Bill Summary: House Bill 1182 provides that specified provisions do not apply to the county sale of property that contains any portion of a lake that was constructed.

Authored By: Rep. Darlene Taylor (173rd)
House Governmental Affairs
Committee:

Rule Applied: Modified-Structured
Committee 02-09-2022 Do Pass
Action:

HB 1219 Georgia Board of Dentistry; revise composition

Bill Summary: House Bill 1219 increases the number of members of the Georgia Board of Dentistry from 11 to 17. The number of members who are dentists increases from nine to 13 and the number of members who are dental hygienists increases from one to two. The bill also adds a member who has direct knowledge of the education of dental students in this state appointed by the Board of Regents of the University System of Georgia.

Authored By: Rep. Penny Houston (170th)
House Health & Human Services
Committee:

Rule Applied: Modified-Structured
Committee 02-15-2022 Do Pass by Committee
Action: Substitute

HB 1271 Property; covenants which infringe upon owners' right to display United States and Georgia flags; prohibit

Bill Summary: House Bill 1271 prohibits a property owners' association from enacting covenants after July 1, 2022 that forbid a lot owner from displaying the official flag of the United States of America through use of an attachment to the structure of a building. The bill applies to flags that are four and one-half feet by six feet or smaller.

Authored By: Rep. James Burchett (176th)
House Judiciary
Committee:

Rule Applied: Modified-Structured
Committee 02-10-2022 Do Pass by Committee
Action: Substitute

HB 1274 State government; antisemitism; provide definition

Bill Summary: House Bill 1274 provides a definition of "antisemitism" for purposes of state law. The bill uses the definition adopted by the International Holocaust Remembrance Alliance, which defines "antisemitism" as the harassment of a person of actual or perceived Jewish origin, ancestry, ethnicity, or faith. State departments and agencies shall consider antisemitism as evidence of discriminatory intent for any law that prohibits discrimination or under any hate crimes provision. The bill does not diminish any rights protected under the First Amendment.

Authored By: Rep. John Carson (46th)
House Judiciary
Committee:

Rule Applied: Modified-Structured
Committee 02-10-2022 Do Pass
Action:

HB 1288 State Employees' Assurance Department; assignment of certain group term life insurance benefits; provide

Bill Summary: House Bill 1288 provides for the assignment of certain group-term life insurance benefits to pay for funeral services of a deceased individual who was a member of the Employees' Retirement System of Georgia, Georgia Legislative Retirement System, or Georgia Judicial Retirement System.

Authored By: Rep. Darlene Taylor (173rd)
House Insurance
Committee:

Rule Applied: Modified-Structured
Committee 02-16-2022 Do Pass by Committee
Action: Substitute

HB 1294 Property; timing of sending notice when an abandoned mobile home has been determined to be derelict; provide

Bill Summary: House Bill 1294 provides landowners three days to send notice, rather than same-day notice, to all responsible parties upon a determination by a local government agent that an abandoned mobile home is derelict.

Authored By: Rep. John Corbett (174th)
House Judiciary
Committee:

Rule Applied: Modified-Structured
Committee 02-15-2022 Do Pass
Action:

HB 1308 Insurance; allow plan sponsor to consent on behalf of an enrollee to electronic delivery of all communication

Bill Summary: House Bill 1308 allows a sponsor of a health benefit plan to consent on behalf of an enrollee to the electronic delivery of all communications and identification cards related to the plan. Enrollees can opt out of electronic communications.

Authored By: Rep. Noel Williams (148th)
House Insurance
Committee:

Rule Applied: Modified-Structured
Committee 02-16-2022 Do Pass by Committee
Action: Substitute

HB 1346 Courts; clerks of superior courts; provide for construction

Bill Summary: House Bill 1346 permits clerks of superior courts, who would otherwise be prohibited from practicing law in his/her name, to serve as a judge advocate or any other role in an active duty or reserve component of the armed forces.

Authored By: Rep. Mandi Ballinger (23rd)
House Judiciary
Committee:

Rule Applied: Modified-Structured
Committee 02-16-2022 Do Pass by Committee
Action: Substitute

Committee Actions

Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.

Agriculture & Consumer Affairs Committee

HB 1150 Freedom to Farm Act; enact

Bill Summary: House Bill 1150 eliminates definitions for "agricultural area," "changed conditions," and "urban sprawl" in order to prevent a nuisance lawsuit from being brought against a farming operation that has been active for more than one year. The start of a concentrated animal feeding operation (CAFO) shall constitute a separate and independent established date of operation, regardless of whether the CAFO is started on a pre-existing farming operation. The bill adds that the provisions of the subsection do not apply if a nuisance is caused by negligence or illegal operations.

Authored By: Rep. Robert Dickey (140th)

House Agriculture & Consumer Affairs

Committee:

Committee Action:

02-24-2022 Do Pass by Committee Substitute

HB 1175 Georgia Raw Dairy Act; enact

Bill Summary: House Bill 1175 provides for the standards related to the safety, transportation, and sale of raw milk in Georgia. The Department of Agriculture shall be responsible for the enforcement of this article and establishing any related rules and regulations, including rules related to the labeling of raw milk for human consumption, specifications for any glassware used for bottling, and the installation of recording thermometers on bulk farm tanks.

Any person that manufactures, stores, or sells raw milk for human consumption must be in possession of a permit from the department. Permits must be held before the beginning of an operation and are not transferable. All permits are valid for one year and are renewable upon submission of relevant forms. Any person operating under this article must provide the department with any requested data or statistics.

Prior to the issuance of a permit, samples of raw milk shall be collected and tested to ensure acceptable pathogenic results. Following the issuance of a permit, the department shall test raw milk for consumption as frequently as necessary to determine a product is not adulterated, misbranded, or otherwise not in compliance. At least four samples must be collected in a six-month period in at least four separate months. Samples must show the raw milk for human consumption conforms to the following standards: bacteria limits below 20,000 per mL; no positive results for drugs; somatic cell count below 500,000 per mL; coliform counts below 10 per mL; and any organisms of *Escherichia coli*. If the freezing point of milk is greater than -0.525 degrees Celsius, the raw milk is to be considered to contain water and is in violation of this article, the penalty for which is a two-day suspension for a violation of greater than three percent. Raw milk is to be considered adulterated if the presence of drugs, pesticides, herbicides, or other poisonous substances are found; if milk is adulterated, it should be disposed of outside of the human or animal food chain and a penalty shall be imposed. Further, if a drug residue test is positive, a recall shall be initiated. Samples shall be analyzed by a laboratory in compliance with the latest edition of Standard Methods for the Examination of Dairy Products (SMEDP) of the American Public Health Association and the latest edition of Official methods of Analysis (OMA) of the Association of Official Agricultural Chemists (AOAC) International.

HB 1175 requires all raw milk for human consumption to be bottled, packaged, and sealed in the same location the milk is produced. All vessels, including bottles, shall be labeled in accordance to requirements set by the 'Federal Food, Drug, and Cosmetic Act,' as amended by the 'Nutrition Labeling and Education Act of 1990' and any other relevant federal regulations. Bottles, containers, and packages containing approved raw milk for consumption shall also be marked with the following: "Grade A Raw" on the exterior; the identity of the farm in which the product was produced; the statement, "This is a raw milk product that is not pasteurized" in no smaller than 12-point font; and the common name of the hooved animal that produced the milk.

Raw milk for consumption shall be cooled to 10 degrees Celsius or less within four hours and to 7

degrees Celsius or less within two hours of the commencement of milking. Finished, processed, and packaged raw milk shall be kept at 7 degrees Celsius or less during storage and transportation.

Lactating animals that show evidence of milk with abnormalities or that have been treated with or consumed medicinal or radioactive agents must be milked last or using separate equipment and the extracted milk must be discarded. Milk from lactating animals that have consumed medicinal agents as prescribed by a veterinarian or that has been exposed to insecticides shall not be offered for sale. Milking equipment that has been exposed to an animal with milk abnormalities shall be sanitized before being used again to reduce the possibility of re-infection or cross infection. All animals producing raw milk for human consumption must be tested for brucellosis and tuberculosis every 12 months; animals shipped into Georgia for the purpose of milking shall be tested no more than 30 days before being brought into the state. If an animal tests positive, it shall be separated from the herd, retested, and, if necessary, disposed of according to guidelines published by the United States Department of Agriculture.

Each producer of raw milk for human consumption must develop and maintain procedures to notify regulatory officials, consumers, and conduct product recalls.

Any person that violates any of the following shall be found guilty of a misdemeanor: handling of raw milk in unclean or unsanitary places or manners; storage or preparation of any raw milk for human consumption in the same structure where hide or fur of any cow, horse, hog, or other livestock is kept; handling or shipment of raw milk in unclean or unsanitary vessels; exposure of raw milk to flies or another contaminated influence; possession of a branded or registered raw milk can or container for any purpose other than the handling, storage, or shipment of raw milk; the sale of raw milk that is not pure, fresh, and handled with clean equipment; the sale of raw milk from diseased or unhealthy animals or that came in contact with a person suffering from a contagious disease; the sale of raw milk that has been exposed to contaminant that would render the raw milk unsuitable for human consumption; or the sale of raw milk that does not meet the standards set by this article.

Authored By: Rep. Clay Pirkle (155th)
House Agriculture & Consumer Affairs
Committee:

Committee 02-24-2022 Do Pass by Committee
Action: Substitute

Judiciary Committee

HB 916 Superior and State Court Appellate Practice Act; enact

Bill Summary: House Bill 916, the 'Superior and State Court Appellate Practice Act', rewrites the procedure to appeal from a lower judicatory (any government body exercising judicial or quasi-judicial authority) to superior or state court. Finding that many appeals are dismissed on complex procedural grounds and not on the merits, the bill replaces the current certiorari review process and notice of appeal statutes with a single "petition for review" procedure. Courts are required to render decisions on the merits instead of dismissing on procedural grounds unless the dismissal is expressly required by statute. The bill establishes the appellate jurisdiction of superior and state courts over a final judgment of a lower judicatory, while preempting any local law or ordinance in conflict with the Act.

The bill establishes the general procedures for the petition for review, to include: a filing requirement within 30 days after the date of the final judgment; the format for filing the petition; the amendment/extension procedures; and policies related to service of process and venue. The bill creates limited grounds for dismissal and enacts policies related to filing costs and recording of proceedings. The bill provides procedures for requiring a bond and outlines damage costs for frivolous appeals.

The bill includes conforming amendments throughout the Code, both by replacing terms and making technical changes to adopt the Code to the petition for review appellate procedure. The effective date for the bill is July 1, 2023.

Authored By: Rep. Rob Leverett (33rd)
House Judiciary
Committee:

Committee 02-24-2022 Do Pass by Committee
Action: Substitute

HB 960 Office of the Inspector General; establish

Bill Summary: House Bill 960 establishes the Office of the Inspector General to investigate the management and operation of agencies. The office is assigned to the Office of the Governor for administrative purposes only as described in Code Section 50-4-3. The inspector general shall have jurisdiction over persons or agencies in the executive branch.

The inspector general investigates complaints alleging fraud, waste, or corruption committed against or within an agency in the state, in addition to other duties assigned by the governor. When investigating, the inspector general is authorized to issue subpoenas, enter upon the premises of any agency at any time without prior announcement, and employ peace officers to obtain, serve, and execute search warrants. House Bill 960 compels agencies to cooperate with any investigation, and provides a cause for discipline to any employee who knowingly fails to comply with an investigation. Upon a conclusion of an investigation, the inspector general shall issue a report to the Office of the Governor.

Authored By: Rep. Rob Leverett (33rd)
House Judiciary
Committee:

Committee 02-24-2022 Do Pass by Committee
Action: Substitute

HB 1352 Property; provide for handling of certain wills

Bill Summary: House Bill 1352 provides processes related to the disposition of unclaimed property as it pertains to the Department of Revenue. If a will, codicil, or other trust instrument is among the contents of a safe-deposit box, the commissioner shall retain those documents unless they can be delivered to the testator/settlor upon confirmation of identity; delivered to the probate court; permitted to be removed; or delivered to the trustee. A claimant's designated representative may file a claim if he/she claims an interest in any property to be considered by the commissioner and upon approval, the claimant's designated representative shall be paid the balance remaining after deduction. When determining the merits of an unclaimed property claim, the commissioner shall rely on applicable statutes, regulations, and court decisions. The burden is on the claimant to establish entitlement to the property by a preponderance of the evidence. Upon request, the commissioner will provide a claimant's designated representative with relevant account information in a searchable digital format for all unclaimed accounts, with this information being prohibited from distribution. A claimant's designated representative shall register with the commissioner and pay a \$1,200 fee for a four-year registration.

Authored By: Rep. Vance Smith (133rd)
House Judiciary
Committee:

Committee 02-24-2022 Do Pass by Committee
Action: Substitute

HB 1377 Income tax; equitable relief regarding failure of employers to comply with revenue provisions regarding employees; authorize private causes of action

Bill Summary: House Bill 1377 authorizes a civil cause of action for injunctive relief without having to show special or irreparable damage in the event that a non-government employer fails to properly deduct and withhold from wages as required by Georgia income tax law. The court shall award costs and expenses, including attorneys' fees, to the prevailing party.

Authored By: Rep. James Burchett (176th)
House Judiciary
Committee:

Committee 02-24-2022 Do Pass by Committee
Action: Substitute

Ways & Means Committee**HB 997 Ad valorem tax; timber equipment and timber products held by timber producers; provide exemption**

Bill Summary: House Bill 997 amends 48-5-41.1, relating to the exemption of qualified farm products and harvested agricultural products from ad valorem taxation, by expanding the exemption

of agricultural equipment to include timber equipment. Timber equipment includes all equipment owned or held under a lease-purchase agreement by a timber producer and is directly used in the production or harvest of timber products but does not include motor vehicles. Timber producers are defined as any one or more individuals or an entity, registered to do business in this state, which is primarily involved in the subsistence or commercial production or harvest of timber products. The bill also provides language for a referendum to be included on the November 2022 ballot.

Authored By: Rep. Sam Watson (172nd)
House Committee: Ways & Means

Committee Action: 02-24-2022 Do Pass

HB 1058 Income tax; affiliated corporations file separate or consolidated returns; provisions

Bill Summary: House Bill 1058 amends 48-7-21, relating to income taxation of corporations, by eliminating the requirement that affiliated corporations have prior approval from or have been requested to file a consolidated income tax return by the Department of Revenue and allowing the affiliated corporations elect to file a Georgia consolidated income tax return without the request or approval of the department. For the purposes of allocation and apportionment, each member of a Georgia affiliated group shall be considered a separate taxpayer. Any taxable loss of a member of a Georgia affiliated group shall be deductible against the taxable income of any other member of the group only if the loss is apportioned and allocated to Georgia. The choice to file a consolidated income tax return is irrevocable and binding for a period of five years. At the end of the five-year period, the taxpayer may elect to file a consolidate return again.

Authored By: Rep. Bruce Williamson (115th)
House Committee: Ways & Means

Committee Action: 02-24-2022 Do Pass by Committee Substitute

HB 1302 Income tax; one-time tax credit for taxpayers who filed returns for both 2020 and 2021 taxable years; provide

Bill Summary: House Bill 1302 adds 48-7-20.1, relating to income taxes, which provides a one-time income tax refund equal to the lesser of the taxpayer's 2020 income tax liability or \$250 for a taxpayer filing as single, \$375 for a taxpayer filing as head of household, or \$500 for a married couple filing a joint return. The refund is not available for non-resident alien individuals, individuals who were claimed as a dependent for the 2020 or 2021 tax years, nor estates or trusts. The refund is automatically credited once a taxpayer files an individual income tax return for 2021, and any refunds due shall be credited against outstanding income tax liability prior to being either electronically transmitted or sent by check to the taxpayer.

Authored By: Rep. Josh Bonner (72nd)
House Committee: Ways & Means

Committee Action: 02-24-2022 Do Pass by Committee Substitute

HR 686 Ad valorem tax; rate reduction for sale or harvest of timber; provide - CA

Bill Summary: House Resolution 686 amends the Georgia State Constitution, relating to the ad valorem taxation of timber, by reducing the rate of taxation from two and one half times the rate of other real property to the same rate as other real property. The resolution also requires the General Assembly to annually appropriate funds to each county, municipality, or school district that experiences a revenue reduction resulting from the revised tax rate on timber in an amount equal to 50 percent of the revenue reduction for the jurisdiction's first three percent of ad valorem tax revenue and 100 percent of revenue loss that exceeds three percent of the jurisdiction's ad valorem revenue. Ballot language is also included.

Authored By: Rep. Sam Watson (172nd)
House Committee: Ways & Means

Committee Action: 02-24-2022 Do Pass by Committee Substitute

Committee Meeting Schedule

This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change.

To keep up with the latest schedule, please visit www.house.ga.gov and click on [Meetings Calendar](#).

Monday - February 28, 2022

10:00 AM	FLOOR SESSION (LD 21)	House Chamber	VIDEO	
2:00 PM	JUDICIARY COMMITTEE	132 CAP HYBRID	VIDEO	Agenda